



The brave, poor soldier, poor soldier,
Nor count him as a stranger,
Remember him in country's day
In day of need and danger.

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TO THE SURVIVING VETERANS OF 1837-8-9.

response to many requests, the following brief statement of
the efforts that have from time to time been made
to obtain a suitable recognition of your
services is respectfully
dedicated by

MAJOR R. R. McLENNAN, M.P.

ALEXANDRIA:
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J. H. Murphy
from R. H. Nothman
14 July 1893

Soldiers ! your labours, your privations,
Your sufferings, and your valour,
Will not be forgotten by a grateful country.

—Havelock in India, 1857.

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TO THE SURVIVING VETERANS OF 1837-8-9.

GENTLEMEN,

Memorials praying for some suitable recognition of the services rendered by yourselves, in common with others, in the years 1837-8-9, having been lately presented to His Excellency the Governor-General of Canada, Lord Stanley of Preston, and also to the Governor-General-in Council, and being now under consideration, I deem the present a most fitting opportunity to submit to you certain facts in relation to the subject matter of the Memorials, knowing, as I do, that you naturally take a deep interest in all that pertains to the movement. You cannot but be well aware that upon various occasions endeavors have from time to time been made with a view to pressing upon the Federal and Provincial authorities the justice of tendering some tangible and suitable acknowledgment of their appreciation and admiration of the brave and loyal services rendered by you in the then Provinces of Upper and Lower Canada ; by which the maintenance of our institutions was upheld and our connection with the Mother Land rendered secure. You are also, no doubt, aware that these efforts for compensation have so far proved unavailing. The spontaneous gratitude of nations towards those who, in their country's hours of danger and difficulty, have sacrificed their lives or properties upon the altar of patriotism and duty is amply evidenced in the pages of history. I sincerely trust that Canadians are becoming more alive to their duty in respect to the veterans of '37-8-9, and that as the facts relating to their devotion, bravery and self-sacrificing spirit are more widely and generally diffused, the importance of the result of their noble conduct will be more fully realized, and that they will hasten to repair the long neglect and seeming indifference with which they have hitherto entertained the just claims of her veterans.

Gentlemen, you freely offered your services to defend your Queen and country at a time when such offers meant more than mere empty professions of loyalty, and I feel assured that not a man among you in asking for recognition is actuated by any sordid or self-interested motives, but that you are exercising the unquestionable right which none can withhold from you, of asking for some proofs that your services are appreciated and valued, to some degree, at least, by those who largely owe to you and your comrades, now passed over to the great silent majority, the blessings of British connection which they and our forefathers have cherished, and will continue to cherish as the result of the peace, prosperity and happiness that have attended the progress of Canada during the half century or more which has elapsed since the quelling of the rebellion.

As I am daily in receipt of enquiries from parties interested in the progress that has been made in the efforts to obtain some recognition, and in order that you may more clearly familiarize yourselves with the nature of the steps which have from time to time been taken with a view to securing an acknowledgment of your services, and of the position which the movement in that direction at present occupies, I beg to submit the following facts and extracts from official documents for your perusal and consideration.

£50,000 VOTED BY THE DRAPER MINISTRY.

In 1845 the Draper Ministry recommended the indemnification of the Upper Canadian loyalists who had incurred losses during the then recent political troubles, and carried a measure by which a special fund derived from tavern and other licenses was set apart for that purpose to the amount of £40,000. The Lower Canadian representatives supported this measure on the understanding that similar provision should be made for the indemnity of the loyal population of Lower Canada. Commissioners were appointed to investigate such losses in Lower Canada and report to the Legisla-

ture. Not being possessed of any evidence as to who were entitled to compensation, the loyalty of all persons was assumed unless they had been legally convicted. The number of claimants reported to Parliament was over 2000 and the aggregate amount of the claims was £241,965. Many of these claims were deemed quite preposterous and others as being greatly exaggerated. The Commissioners, however, considered that £100,000 would meet the actual losses of loyal persons. The Draper Ministry introduced a bill empowering the issue of debentures to the amount of about £10,000 for the indemnification of loyal persons in Lower Canada. This did not prove satisfactory to either party. Lower Canada considered it so small as to be almost an insult.

Parliament was dissolved on the 6th of December, 1847, and the elections were held during the following January, resulting in a large Reform majority. On the opening of Parliament February 25, 1848, the Draper Ministry resigned and Messrs. Baldwin and Lafontaine formed a Reform cabinet. One of the earliest acts of this administration at the meeting of Parliament, January 18th, 1849, was the introduction of the Rebellion Losses Bill. It authorized the raising of £100,000 by debentures for indemnifying those persons in Lower Canada whose property had been destroyed. This Bill was carried by a vote of 48 to 32.

MR. MOWAT GIVES COMPENSATION.

On the 10th March, 1873, Mr. Boulton moved for a select committee to enquire into the case of the widow and daughters of the late Col. Connel Baldwin, and report thereon to the house; such committee to be composed of Messrs. Wood (Victoria), Cameron, Fraser, Meredith, Rykert and the mover. (Journals Legislative Assembly of Ontario, page 219.) This motion passed.

On the 14 March, 1873, Mr. Boulton presented the report of the select committee on the case of the late Col. Baldwin, which was read as follows :—

Your committee have examined the matters referred to in the said petition, and ascertained as follows :

1. That in the year 1837 the late Col. Baldwin was instrumental in raising a corps for the defence of this country.

2. That through the fraud and misconduct of the contractor for clothing such corps, he, the said Colonel Baldwin, became liable for a large sum on account of such clothing, although the judgment of the Court of Queen's Bench was once given that this country and not he was properly liable therefor.

3. That the sum of money which the said Col. Baldwin was compelled to pay under execution in this matter amounted to the sum of \$2,000 or upwards in 1840. That when such claim accrued, having no other means for paying the same, he was forced to sell his half pay, which would, after his death, have continued, and enured to the benefit of his wife and family.

5. That through his having to sell his half pay to liquidate this indebtedness, his widow and daughters were left in a condition of absolute penury.

6. That Col. Baldwin was an officer of more than ordinary merit, having served the country for about 50 years, sharing notably in most of the famous battles in the Peninsular War, where he was many times desperately wounded.

And your committee recommended these matters to the consideration of the house.

On March 22nd, The Honorable Attorney-General Mowat delivered to Mr. Speaker a message from His Excellency Lieut.-Gov. Howland, which was read to the house (Journals Legislative Assembly, 1873, p. 309-310), transmitting the estimates for that year and in the supplementary estimates is found this item :—

* * * * *

15. TRUSTEE

FOR MRS. BALDWIN AND FAMILY, IN FULL OF CLAIM OF LATE COL.
BALDWIN ON LATE PROVINCE OF UPPER CANADA. \$4,000.

THE REBEL MONTGOMERY IS COMPENSATED BY MOWAT.

On p. 244 Journals Legislative Assembly, Ont., for 1873, it will be found that it was "Resolved that a select committee, consisting of the Hon. Messrs. Richard and Wood and Messrs. Crosby, Fraser, Patterson, Prince, Farewell and Boulton be appointed to enquire into the case of John Montgomery, and report to the house."

On the 26th March, 1873, it was reported from the select committee to which was referred the matter of the petition of John Montgomery, as follows:—

Your committee have examined this matter and the evidence therein with great care, and report that property of the value of \$1,589, belonging to the petitioner, was taken from him for the use of the Government of Canada, in the year 1837, on the understanding that some part, at least, of it should be paid for; that this claim was shortly after investigated by the official board for adjusting upon such claims, and ordered to be paid to the wife of the petitioner, who died shortly afterwards, and in consequence of her death, such claim was not then, nor has since, been paid; that Sir George Arthur approved of such adjudication of such board of claims; that during the same year (1837) the hotel and other property and furniture of the petitioner was burned by the troops of the Government, which property was of the value of \$1,500 or upwards.

On March 19, 1874, The Honorable Attorney-General Mowat delivered to Mr. Speaker a message from His Excellency Lieutenant-Governor Crawford, transmitting the estimates for that year, and in the supplementary estimates is found this item:—

"16. John Montgomery, compensation for claim against the Province of Upper Canada, \$3,000."—Journals Legislative Assembly Ontario, 1874, page 232.

MR. MOWAT'S REFUSES COMPENSATION.

Extract from Journals of the Legislative Assembly of Ontario, Vol. XVIII, 1885.

Mr. Broder moved, seconded by Mr. Gray,

"That in the opinion of this House it is expedient that the Government should make some suitable recognition to the Volunteers of 1837-1838 residing in the Province of Ontario, for the valuable services they rendered in defence of their country at that time."

The Attorney-General moved in amendment, seconded by Mr. Pardee,

"That all the words of the motion after the word 'That' be omitted therefrom, and that instead thereof there be inserted the following:—'This House cordially recognizes the loyalty and services of the Volunteers of 1837-1838 who responded to the call then made upon them by the lawfully constituted authorities, and recognizes also the services rendered to this Province through the efforts of the Reformers of the same period, which secured for the people of Canada the blessings of true constitutional government; but this House deems it inopportune to make any declaration that might excite hopes and expectations which this House may not be in a position to fulfil.'"

The amendment as amended having been then put, was carried on the following division:—

YEAS.

Messieurs,

Awrey,	Dowling,	McIntyre,	Phelps,
Badgerow,	Fraser,	MacKenzie,	Rayside,
Baxter,	Freeman,	McKay,	Ross, (Huron)
Bishop,	Gibson, (Hamilton)	McLaughlin	Ross, (Middlesex)
Bleazard,	Gibson, (Huron)	Master,	Sills,
Cascaden,	Gillies,	Morin,	Snider,
Chisholm,	Harcourt,	Mowat,	Waters,
Cooke,	Hardy,	O'Connor,	Widdifield,
Dill,	Laidlaw,	Pardee,	Young—36.

The above are the men who voted against any compensation being awarded to the Loyal Veterans, and the following are those who voted in their favour :—

NAYS.

Messieurs

Balfour,	Ermatinger,	Kerns,	Morgan,
Baskerville,	Fell,	Kerr,	Morris,
Broder,	French,	Lees,	Neelon,
Carnegie,	Graham,	McColman	Preston,
Clancy,	Gray,	McKay,	Ross, (Cornwall)
Clarke, (Toronto)	Hummell,	Meredith,	White,
Creighton,	Hart,	Merrick,	Wilmot,
Denison,	Hudson,	Monk,	Wood—32

The original motion, as amended, having been then put, was carried.

In the Ontario Legislature on the 4th April, 1892, Mr. Willoughby moved, seconded by Mr. Whitney,

“That in the opinion of the House it is expedient that the Government should make some suitable recognition to the Volunteers of 1837-38 for the valuable services they rendered in defence of their country at that time.”

Mr. Gibson, (Hamilton) moved in amendment, seconded by Mr. Dryden,

“That all the words after the word ‘that’ in the motion be cancelled, and the following substituted therefor, ‘While the grievances under which the Provinces laboured for some years prior to 1837 led some of the people into rebellion in that year, the great majority of those who felt the grievances preferred trusting for a remedy to continued peaceful agitation ; that these grievances have long since been removed, and that by their removal the attachment of the whole people to British connection was happily restored, and has existed without interruption for the half century which has since

elapsed ; that matters relating to the militia and to the defence of the country now belong under the Constitution to the Dominion Parliament, and do not call for further consideration of this House."

Mr. Rayside evidently did not think that this amendment was strong enough, so, to lessen the chances of the veterans obtaining compensation in the Local House, he moved in amendment to the amendment, seconded by Mr. Caldwell,

" That there be added to the amendment the following words : ' And this view is illustrated by the consideration that the Dominion Parliament took cognizance of the claims of the Veterans of 1812.' "

And the amendment to the amendment having been put, was carried on the following division :—

YEAS

Messieurs

Allan,	Conmee,	Hardy,	O'Connor,
Awrey,	Dack,	Harty,	Paton,
Biggar,	Davis,	Kirkwood,	Rayside,
Bishop,	Dowling,	Lockhart,	Robillard,
Blezard,	Dryden,	McKay (Oxford)	Ross
Barr (Renfrew)	Field,	McKay (Victoria)	Sharpe,
Caldwell,	Garrow,	McKechnie,	Snider,
Carpenter,	Gibson (Hamilton)	McMahon,	Stratton,
Charlton,	Gibson (Huron)	Mackenzie C.,	Tait,
Chisholm,	Guthrie,	Moore,	Waters,
Cleland,	Harcourt,	Mowat,	Wood (Brant),

— 44.

The above are the names of the men who voted against compensation being given, and the following are those who voted in favour of compensation :—

NAYS.

Messieurs

Balfour,	Godwin,	McLenaghan,	Rorke,
Barr (Dufferin),	Hammell,	Magwood,	Smith (Frontenac),
Bush,	Hiscott,	Marter,	Tooley,

Campbell (Algoma)	Hudson,	Meacham,	Whitney,
Campbell (Durham)	Kerns,	Meredith,	Willoughby,
Clancy,	McCleary,	Miscampbell,	Wood (Hastings),
Fell,	McColl,	Monk,	Wylie.
Glendinneng,			

—29.

Mr. Wood (Hastings) then moved in amendment to the amendment, seconded by Mr. Clancy,

"That the following words be added to the amendment as amended, 'but whether by this Legislature or by the Parliament of Canada, this house is of opinion that the recognition should at all events be made.'"

And the proposed amendment to the amendment, as amended, having been then put, was lost on the same division, with the addition of Mr. Ferguson on the Government side, making the vote 45 to 29. The motion as amended was carried on the same division as above, and these are the men who voted against compensation being granted in any form by either the Local or the Federal Parliaments.

SIR JOHN A. MACDONALD'S AND HON. E. BLAKE'S OPINIONS, 1884 AND 1885.

From Hansard, Session 1884, Vol. I, Page 89.

Mr. Tyrwhitt moved, that it is expedient that the Government take steps to ascertain the number of the volunteers of 1837 and 1838 still living, their names, ages and corps in which they served during said time, and their respective places of residence.

Sir John A. Macdonald—I presume that if this information is obtained, and brought down, it would be to found a subsequent motion upon it: something like the motion which stands next to it on the paper, proposing to recognize the services of these volunteers. The volunteers of 1837-38 served, some in Upper Canada and some

in Lower Canada; and in both Upper and Lower Canada, there were volunteers on both sides. I do not think, unless the House considers that there should be a grant made by the Dominion Parliament, or a recognition in some way, of the services of the volunteers, that a case has been made out for the expenditure which would be incurred in collecting this information. It occurs to me and to the Government, that the recognition, if it comes at all, should come from the several Provinces; that is to say, the Province of Ontario, formerly Upper Canada, should recognize the services of its Volunteers, and the Province of Quebec, formerly Lower Canada, should recognize the services of its volunteers. I do not think the Dominion Parliament can be called upon to recognize the services of men who served, not only before Confederation, but before there was a United Canada, when there was an Upper and a Lower Canada, and no prospect or idea of there ever being one Province. This is a disappointment to myself, as I was one of the volunteers, and carried my musket, and I suppose I fought as bravely as most of my confreres.

Mr. Blake—I quite agree with the Hon. gentleman that this is entirely a Provincial matter, a matter for old Canada, or the Provinces of which it was composed. In the Legislature of Ontario, in former days, during the regime of the first Government, a question connected with this matter came up, and the only person whose services were recognized was one named Montgomery. (Motion withdrawn.)

From Hansard, Session 1885, Vol. I., Pages 37 and 38.

Mr. Hickey moved—That is expedient that some suitable recognition be made by the Government to the volunteers of 1837 and 1838, for the very valuable services they rendered in defence of their country at that time.

Sir John A. Macdonald—I quite appreciate the motives that induces my Hon. friend to make this motion, and I agree with him in his sense of the loyal spirit which induced the volunteers to obey

the call of their country during the disturbances in 1837-38. Those disturbances have long passed. They took place long before the Dominion existed. The claim of those volunteers, either in Upper or Lower Canada, is upon the Government of those two Provinces; the Dominion being composed of a number of different Provinces which had no concern in those disturbances, and are not called upon in any way to recognize those services. It appears to me that this cannot be the place where these services can be recognized. They should be recognized by the different Provinces where the disturbances took place, and where the volunteers performed their duty.

Mr. Blake—I quite agree in the Hon. gentleman's view on this subject, as I did before, and I AM GLAD TO SEIZE AN OPPORTUNITY OF AGREEING WITH HIM. When the matter came up in a former Parliament, and I may say to the Hon. gentleman, who was not a member of that Parliament, and may not be aware of the fact, that that view has already been taken by the Legislature of the Province of Ontario in the first Legislature of that Province, under the lead of the late Mr. Sandfield Macdonald, when they felt that it was for them to deal with questions which might arise out of the disturbances, and acted accordingly, and compensated Mr. Montgomery for the burning of his barn by the volunteers. (Motion withdrawn.)

THE OPINION OF THE DOMINION GOVERNMENT IN 1887.

On the 9th May, 1887, Mr. P. Purcell, M.P., asked from his place in the House of Commons, "Is it the intention of the Government to make provision during the present session for the payment of pensions or the granting of scrip to the Veterans who served the Crown in 1837, as has been done in the case of the Veterans of 1812 and in the case of those who served in suppressing the recent North-West Rebellion?"

Sir Adolphe Caron replied, "It is not in the power of the

Federal Government to grant scrip or pensions to the Veterans of 1837. It is a matter which properly comes under the purview of the Governments of the Provinces of Ontario and Quebec, as it occurred previous to Confederation." (Hansard Sess. 1887, Vol. I, page 320).

On the 7th March, 1888, Mr. Purcell again asked "Whether the Government had reconsidered their objections to granting pensions to the veterans who served the Crown in 1837 and whether they intended to make provision therefore in the estimates for the present session."

Sir Adolphe Caron replied, "It is not the intention of the Government to make provision in the estimates for the veterans who served the Crown in 1837." (Hansard Sess. 1888, Vol. I, page 85)

MR. KIRKPATRICK'S MOTION IN 1891.

On the 27th July, 1891, Mr. Kirkpatrick moved, "that in the opinion of this House, it is expedient that the Government should bestow some mark of recognition upon the Veterans of 1837-38 for their services to the country at that time." He supported this resolution by a strong speech. Mr. Allison expressed himself as being glad that Mr. Kirkpatrick had brought this matter before the House, and also made a strong speech in favour of the motion. Colonel Tisdale also spoke in its favour. Mr. Somerville (Reformer) spoke vehemently against the veterans getting any compensation or recognition of any description or kind, using the following language : "That all honour was due to William Lyon Mackenzie and Papineau and the rest of those who took part in the struggle, and their names should be more revered in Ontario and Quebec than the names of those who went out and fought against them when they were fighting in the cause of freedom. If we are honouring those who did good at that time we must honour the rebels."

Mr. Sproule, Mr. Scriver and Mr. Dennison spoke in favour of the veterans. On that occasion I made the following remarks:—

MAJOR McLENNAN'S SPEECH.

The following are my remarks in support of Mr. Kirkpatrick's motion taken from Hansard, Session 1891, Vol. 11, p. 2931.

Mr. McLennan—I have great pleasure in supporting the motion. I would say in the first place, that I will be happy to support any motion which has for its object the granting of compensation to the Volunteers of 1837-38, or which will insure some recognition for the services of those veterans. Hon. gentlemen on the other side of the House have referred to William Lyon Mackenzie, and if they will look at the history of the life of that gentleman they will find a letter written by him to Earl Grey in 1849, which contains the following:—

“A course of careful observation during the last twelve years has fully satisfied me that had the violent movements in which I and many others were engaged, on both sides of the Niagara, proved successful, that success would have deeply injured the people of Canada, whom I then believed I was serving at great risks. I have long been sensible of the errors committed during that period. No punishment that power could inflict or nature sustain, would have equalled the regrets I have felt on account of much that I did, said, wrote and published.”

These are the remarks of William Lyon Mackenzie, to whom the Hon. member for North Brant (Mr. Somerville) refers. As this question has been already fully discussed in this house I shall deal briefly with it on the present occasion. I wish, however, to pronounce myself strongly in favour of compensation being given to the Volunteers of 1837-38, and at any time I will be glad to support their claims, whether in this House or elsewhere. The subject was before this House on a previous occasion, and it was then said that this was not the proper place to deal with it. When the matter was brought up in the Legislature of Ontario the Hon. Mr. Mowat stated

that the Legislature had nothing to do with it, and he gave his opinion in these words :—

“ It is quite true that the Dominion Government has chosen to throw off themselves the burden on the provinces, but surely the whole spirit of the British North America Act is that all matters of national concern are to be dealt with by the Dominion and not by the provinces, and if there is any matter that is of national and not of provincial concern, it is surely a subject such as this that the resolution deals with, namely, that the claims of the Veterans of 1837-38 should be recognized.”

Although Mr. Mowat made this statement, I would like to draw the attention of the House to the fact that in the Legislature of Ontario on the 10th of March, 1873, Mr. Boulton moved for a select committee to enquire into the case of the widow and daughters of the late Colonel Baldwin and report thereon to the House, such committee to be composed of Messrs. Wood (Victoria), Cameron, Fraser, Meredith, Rykert and the mover. (Journals Legislative Assembly, Ontario, page 219). On the 14th of March, 1873, Mr. Boulton presented the report of the select committee on the late Colonel Baldwin. On the 22nd March the Hon. Attorney-General Mowat delivered to the Speaker a Message from His Excellency Lieutenant-Governor Howland, which was read to the House (Journals, Legislative Assembly, Ontario, pages 309 and 310), transmitting the estimates for that year, and in the Supplementary Estimates is found at item 15,

“ In full claim of the late Colonel Baldwin on late Province of Upper Canada, \$4,000.”

This was for being instrumental in raising and equipping a corps for the defence of this country and through the fraud and misconduct of the contractor for the clothing of such corps, Colonel Baldwin became liable for such clothing to the extent of \$2,000, and Mr. Mowat paid \$4,000. We will here see the inconsistency of Mr. Mowat. He stated in the first place, that the Local Legislature had

nothing to do with this matter, and then he made a grant of \$4,000 out of the public funds of Ontario. I will give you another case in order to show the inconsistency of Mr. Mowat in this matter. This was a case of John Montgomery. On page 244, Journals, Legislative Assembly, Ontario, for 1873, will be found that it was resolved that a select committee consisting of the Honourable Messrs. Richards and Wood, and Messrs. Crosby, Fraser, Patterson, Prince, Farewell and Boulton be appointed to enquire into the case of John Montgomery and report to this House. On the 26th March, 1873, it was reported from the select committee to which was referred the petition of John Montgomery, as follows:—

“That this committee have examined and report that property to the value of \$1,589 belonging to the petitioner was taken from him and destroyed.”

On 19th March, 1874, the Hon. Attorney-General Mowat delivered to the Speaker a message from His Excellency Lieutenant-Governor Crawford, transmitting the estimates for that year, and in the Supplementary Estimates is found at item 16:

“John Montgomery, compensation for claim against the Province of Upper Canada, \$3,000.” (Journals Legislative Assembly, Ontario, 1874, p. 332).

I may mention that John Montgomery, of the Township of York, Innkeeper, whose tavern was the headquarters of the rebels, and from which was fired the shot that killed Colonel Moodie, was arrested on the 11th December, 1837, tried at a special court, found guilty of treason, and sentenced to death, which sentence was subsequently commuted to transportation, and that he escaped from Fort Henry, Kingston—while en route to Quebec—to Watertown, in the State of New York. As we have seen, Mr. Mowat gave him his pension of \$3,000 on the 19th March, 1874. Now, Mr. Speaker, if Mr. Mowat was right in what he said, that the Local Legislature was not the proper authority to deal with this question, then he should not have spent \$7,000 of the money of the people of the

province in that way. The Volunteers of 1837-38 are not a great deal interested in whether the Local Legislature or the Dominion Parliament should grant the compensation: but there is one thing certain, and that is that some legislative body in this country should give them compensation or some recognition for their services. I cannot see why hon. members in this House from any province in the Dominion can object to compensation being given to these men who took their lives in their hands to defend the Constitution of this country. I trust that this Parliament of Canada will do something, and if they cannot give these veterans compensation, they should at least make some recognition of their services in the shape of a medal. Whatever grant may be made to these brave men will not in any way embarrass the country, and I am quite sure that hon. gentlemen from Quebec, Nova Scotia, New Brunswick, Prince Edward Island, Manitoba and British Columbia will not object to a grant for these brave men who fought in the interests of the country, and who believed they were doing right. It is a good thing, in my opinion, to encourage a spirit of patriotism in the country, and if we do not encourage our military men in Canada as they are encouraged in other countries, we cannot expect that our people will have the same spirit of patriotism and loyalty. If you go to England you will find in St. Paul's Cathedral and Westminster Abbey monuments and tablets to the memory of the men who fought and died in their country's service occupying the most prominent positions. That makes the people of that country proud of her heroes, and the descendants of those men proud that they had ancestors who fought in the interests of the country. I trust that this Parliament will grant some recognition to the brave volunteers of 1837-38, and if this question comes to a division I should like to have an opportunity of voting for such a grant.

I was followed by Mr. Casey who spoke strongly against the veterans receiving compensation or recognition, but spoke most warmly in praise of the rebels who opposed our Loyalists in those memor-

able days. It being six o'clock the Speaker left the chair, and the debate was no longer continued that day. When the motion came up again on the 3rd of August, Sir John Thompson spoke, and said in closing his speech, "That in order to avoid the closing of the discussion, as I understand other members wish to take part in it I make the motion now that the debate be adjourned." Motion agreed to and the debate adjourned.

Owing to pressure of other business, this matter could not be brought up again during that session.

THE GOVERNOR-GENERAL WAITED UPON.

During the following session those members of Parliament who were in favour of recognition held a number of meetings, when the following Committee: Major R. R. McLennan, M.P. (Chairman); Colonel D. Tisdale, M.P.; John McDougald, M.P.; Major F. M. Carpenter, M.P.; James Masson, M.P.; Colonel R. Tyrwhitt, M.P.; and R. S. White, M.P.—were appointed to wait upon the Governor-General, and on the 7th July, 1892, the Committee, who were accompanied by Hon. Mackenzie Bowell, Minister of Militia, waited upon His Excellency.

As Chairman of the Committee, I addressed His Excellency Lord Stanley of Preston, Governor-General of Canada, as follows: "I would like to explain to Your Excellency that we are a Committee appointed by the Members of Parliament, sympathisers with the Veterans of 1837-8-9 who responded to the call of the then representatives of Her Majesty and Imperial officers of that day, and we feel that in justice to the good, true and loyal men who so nobly responded to the call of duty at a time of need, taking their lives in their hands, to uphold and retain British institutions in Canada, and repelling therefrom foreign invaders, thereby

retaining this country as a portion of the great British Empire, their services might, we think, be recognized by the presentation of a medal as suggested in the memorial which I am about to present to Your Excellency, and we feel that you, as Her Majesty's representative in this country, are the proper authority to submit this matter before Her Majesty's Imperial advisers. Were it not for the efforts of these brave men, this Committee and the parties whom they represent, feel assured that Canada to-day might not form a part of the British Empire.

"I will also present to Your Excellency petitions from the veterans themselves, together with extracts and copies of official documents, proclamations, reports and answers from the Colonial Office, concerning the memorable events of those days, and we feel satisfied that when Your Excellency will have had time to give the matter your consideration, you will have no difficulty in seeing that were it not for the loyal and patriotic efforts of these men it is probable that Canada might not to-day be a part of the British Empire, as I have already stated, but on the other hand the probability is that she would have been absorbed in the republic of the United States. With these observations, I, on behalf of the Committee and friends of the veterans, most earnestly pray that the matter will receive Your Excellency's kind attention, and we trust that some suitable recognition will be granted to them. In preferring this application for such recognition we rest our case upon the fact that it is owing to the services of Canada's sons in repelling the invader from her soil that the honour and integrity of the British Empire in North America has been preserved. We believe that the recognition we so much desire will not only be most gratefully accepted by the surviving veterans of '37-8-9, but will also serve to stimulate the loyalty and patriotism of our Canadian people generally."

MEMORIAL PRESENTED BY THE COMMITTEE.

To His Excellency the Right Honourable Sir Frederick Arthur,
 Lord Stanley of Preston, Governor-General of Canada, &c.
 May it please Your Excellency,

We the undersigned members of the House of Commons of Canada having been requested to act as a committee to wait on Your Excellency, have now the honour to present herewith several petitions from citizens of the Province of Ontario in the Dominion of Canada praying that justice be done to the claims of the Surviving Veterans who in 1837 and 1838 volunteered for military service, and by force of arms defended from invasion and internal disorder Her Majesty's possessions in Upper and Lower Canada. Petitions similar in form to those now presented have been already laid before Parliament during the present session.

We would most respectfully submit that the services of the Canadian Volunteers of 1837-38, were rendered in the cause of the British Empire in response to the call of Imperial Officers, and that some recognition is due to the loyalty and services of the brave men who so nobly responded to the call of duty in upholding and preserving peace and order in our country, and in repelling foreign invaders therefrom, to which services we owe to-day a continuance of our nationality as citizens of the British Empire of which we are all so justly proud.

We sincerely believe that but for the loyal efforts of the volunteers of those historic days British North America would have been lost to the Empire, and that indirectly each and every portion of the Dominion now reap the benefits of their heroic efforts.

Appended hereto are extracts from official documents having reference to the services rendered by the Canadian volunteers in 1837-38. May we venture to express the hope that through Your

Excellency's good offices Her Majesty may be pleased to bestow a medal on each of the surviving volunteers who was engaged on military duty in defence of Her Majesty's territory in Upper and Lower Canada in 1837-38.

We have the honour to be,

Your Excellency's most obedient servants,

(Signed,)

R. R. McLENNAN, Chairman
D. TISDALE,
JOHN McDUGALD,
F. M. CARPENTER,
JAMES MASSON,
R. TYRWHITT,
R. S. WHITE.

Ottawa, July, 1892.

PETITION FROM THE VETERANS OF 37-8.

To His Excellency the Right Honourable Sir Frederick Arthur,
Lord Stanley of Preston, England, G.C.B., Governor-General
of Canada, &c., &c.

Honourable Members of the Senate, Honourable Members of the
House of Commons of Canada, in Parliament assembled.

The petition of the citizens of Kingston and Midland District
respectfully sheweth:—

That a rebellion broke out in Upper and Lower Canada in 1837.

That His Excellency Sir Francis Bond Head, Lieutenant-Governor of Upper Canada, at that time issued a proclamation either on the 19th or 25th of December of that year, calling out the militia to quell the insurrection and repel invasion from the United States, promising those who would enlist (£2) two pounds per month and one hundred acres of land in the Midland District, valued then at from \$2.50 to \$3 per acre, and 200 acres in less favored sections of Upper Canada.

Your petitioners turned out promptly, helped to suppress the Rebellion, restore peace to the Province, and save Canada to the British Empire, for which services they have never received one acre of land, and most of them never received the paltry £2 per month.

Many of them lost their homes and health, and were reduced to poverty through that unfortunate rebellion and the neglect of England and Canada to do their duty. They are not begging for favours. The laborer is worthy of his hire. All they ask at this late date is "British fair play;" that justice be done therein; that their just claims be promptly recognized by the Government and honorably settled before they all pass away.

Therefore your honorable petitioners will, as in duty bound, ever pray for a speedy settlement of their long neglected claims.

His Excellency received the deputation most cordially, and promised to give their request his most earnest consideration. He stated that the short notice which had been given him of the deputation had not allowed him sufficient time to look fully into the matter, but so far as his own feelings were concerned he was personally favourable to anything that could reasonably be done for the men who had so loyally and bravely defended their country in the hour of danger. However, he said, there might be difficulties in the way of which he did not know, and before forwarding the memorial to the Imperial authorities he would consult with his advisers.

THE COMMITTEE WAIT ON THE GOVERNMENT.

A committee composed of Major McLennan, M.P. (Chairman); Colonel Tisdale, M.P.; Colonel Tyrwhitt, M.P.; Major Carpenter, M.P.; James Masson, M.P.; John McDougald, M.P.; R. S. White, M.P.; A. McKay, M.P.; Dr. Bergin, M.P.; Dr. Montague, M.P.; D. Henderson, M.P., and Colonel Dennison, M.P., waited upon the

Government for the purpose of presenting them with a petition to the Governor-General-in-Council signed by 70 members of the House of Commons. When presenting the address to Sir John C. Abbott, Premier of Canada, Sir John Thompson, leader of the Government in the House of Commons, and Hon. Mackenzie Bowell, Minister of Militia, I said : " As chairman of this committee I wish to present a memorial, prepared and signed by 70 members of the House of Commons, asking for some substantial recognition for the services of the veterans of 1837-8-9. We claim that they are entitled to some recognition, and trust that your Government will take the matter into your earnest consideration, and grant to them something substantial in either land or money. This matter has been up in the house several times, and as the Government is familiar with the arguments which have been advanced from time to time it is not necessary for me to say very much concerning the matter at the present time, but I wish to impress upon you that we are very much in earnest. As an evidence of that I draw your attention to the large number of names attached to the memorial which I am about to present to you, which as I have said is signed by 70 members of Parliament representing the various Provinces of the Dominion. It has been very often stated as an objection to the granting of compensation that it was because other Provinces which have entered the Confederation since 1867 were not interested in the events which took place during 1837-8-9, conveying the idea that these Provinces would not be in favour of granting this compensation. I furnish you with very many names of men from all these Provinces who have most cheerfully signed this memorial and also expressed a wish that they sincerely hope that we would be successful in obtaining some compensation for these loyal men. I leave the matter in the hands of the Government, trusting that they will give it their most earnest consideration. In making this application for such recognition we rest our case upon the fact that it is owing to the services of Canada's sons at that time in repelling

the invader from her soil that the honour and integrity of the British Empire in North America has been preserved. We believe that the recognition we so very much desire will not only be most gratefully accepted by the Surviving Veterans of 1837-8-9, but will serve to stimulate the loyalty and patriotism of the people of Canada from one end of the Dominion to the other.

PETITION TO THE GOVERNOR-GENERAL IN-COUNCIL.

To His Excellency the Governor-General-in-Council,

We, the undersigned Members of the House of Commons of Canada beg to present herewith a copy of a petition laid before Parliament asking that justice be done to the claims of the surviving veterans who in 1837-38 volunteered for military service and by force of arms defended from invasion and internal disorder Her Majesty's possessions in Upper and Lower Canada.

We also append hereto extracts from official documents having reference to the services rendered by the Canadian volunteers during that period.

We are strongly impressed after careful persual of these documents that the services of the Canadian volunteers of 1837-38 were rendered in the cause of the British Empire in response to the call of Imperial officers, and that some recognition is due to the loyalty and services of the brave men who so nobly responded to the call of duty in upholding and preserving peace and order in our country and in repelling foreign invaders therefrom, to which services we owe to day the continuance of our nationality as citizens of the British Empire, of which we are all so justly proud.

We sincerely believe that but for the loyal efforts of the volunteers of those historic days British North America would have been lost to the Empire, and that indirectly each and every portion of the Dominion now reap the benefits of their heroic efforts.

We would therefore respectfully urge that your Government grant some substantial recognition in lands or money to each of the surviving volunteers who was engaged in military duty in defense of Her Majesty's territory in Upper and Lower Canada in 1837-38.

We have the honour to be,

Your Excellency's most obed't. s'ts.,

R. R. McLennan,
F. M. Carpenter,
W. Smith,
Alex. McNeill,
D. W. Davis,
J. B. Mills,
+ A. W. Ross,
Geo. Taylor,
W. F. MacLean,
G. R. R. Cockburn,
C. M. Skinner,
W. A. Patterson,
T. Temple,
A. R. Dickie,
J. A. Gillies,
N. C. Weldon,
H. Corby,
Arthur Boyle,
E. Cochrane,
W. Beggs,
N. F. Davin,
W. B. Northrup,
Josiah Wood,
Jos. Marshall,

D. Tisdale,
James Masson,
+ H. H. Ross,
Chas. Fairbairn,
A. B. Ingram,
J. A. Mara,
D. W. Gordon,
N. C. Wallace,
A. C. Macdonald,
R. Tyrwhitt,
E. McLeod,
Alex. McKay,
J. A. Macdonald,
Alfred Putnam,
W. H. Bennett,
Fred C. Dennison,
W. Ives,
John McLean,
Thos. Earle,
W. T. Hodgins,
B. Rosamond,
Jas. Metcalfe,
H. J. Macdonald,
H. Calvin.

John McDougald,
Frank Madill,
Geo. Moncrieff,
Uriah Wilson,
A. C. Miller,
C. F. Ferguson,
T. S. Sproule,
J. Stevenson,
John McAllister,
Sam Hughes,
H. F. Macdougall,
W. F. Roome,
W. H. Hutchins,
Wm. Pridham,
George Macdonell,
J. Douglas Hazen,
J. D. Reid,
R. S. White,
J. D. Craig,
John Ferguson,
G. Guillet,
Thos. M. Daly,
R. Wilmot,

The deputation was very courteously received by Sir John Abbott, Sir John Thompson and Honourable Mackenzie Bowell. In reply to the deputation, Sir John Abbott said that the Government would carefully look over the Memorial, together with all papers attached, and would consider the matter fully, and let the Chairman of the Committee know at an early date what decision they arrived at.

SUMMARY OF THE CASE.

You will see the justification of the statements made by Sir John A. Macdonald and the Honourable Edward Blake from the documents and the extracts which I have placed before you. You will also see that the Governments of the Provinces of Upper and Lower Canada passed legislation many years ago for the compensating of men interested in that rebellion. The Conservative Government led by Mr. Draper recommended and passed a measure granting £40,000 for compensating the loyalists in the Province of Ontario. There was also £10,000 afterwards voted by the same Government for compensating the loyalists in the Province of Quebec, which was not considered sufficient by the people of Lower Canada. The then Draper Government was defeated and the Reform Government formed by Baldwin and Lafontaine voted £100,000 to compensate losses of that rebellion in Lower Canada. Again, in 1873, during the administration of the Honourable Oliver Mowat, (now Sir Oliver) a committee was appointed to investigate the claims of the family of Robert Baldwin for losses sustained during the same rebellion, the payment of which was recommended. On March 22nd, Attorney-General Mowat delivered to the Speaker a message from His Excellency Lieutenant-Governor Howland, which was read to the House. (Journals, Legislative Assembly, 1873, p. 309-10) transmitting the estimates for that year, and in the supplementary estimates is found this item :

" 15—Trustees for Mrs. Baldwin and family in full of claim of late Colonel Baldwin on late Province of Upper Canada, \$4,000."

This amount the Government of Ontario paid. You will also find on the 19th March, 1874, the Honourable Attorney-General Mowat delivering to Mr. Speaker a message from His Excellency Lieutenant-Governor Crawford transmitting the estimates for that year, and in the supplementary estimates is found this item :

" 16—John Montgomery, compensation for claim against the Province of Upper Canada, \$3,000. (Journals, Legislative Assembly, 1874, p. 232.)

If these were not within the jurisdiction of the Province of Ontario, Mr. Mowat should not have paid them, and he has therefore violated his trust to the people by paying \$7,000 which he had no authority to pay. This is the case cited by Mr. Blake as a precedent showing that the Provincial Governments are the parties who should pay the compensation to the Veterans of the rebellion of 1837-8. The veterans have claimed that they were promised land and money. This being the case, the only lands that were in possession of the Governments of that day were the lands in Ontario and Quebec. The lands that the veterans themselves say were promised them have been and are now the property of the Provincial Governments. I consider that they are really the parties who should compensate the veterans for their services in quelling the rebellion, which arose solely within the limits of these Provinces.

In 1885, in the Legislative Assembly of Ontario, Mr. Broder moved, seconded by Mr. Gray, that some suitable recognition should be made to the veterans of 1837-8 residing in the Province of Ontario. To this Mr. Mowat moved an amendment, expressing that he recognized the loyalty and services of the volunteers of '37-8 who responded to the call then made upon them by the lawfully constituted authorities, but at the same time he expressed his recognition of the services of the rebels of that day. Attorney-General

Mowat's amendment was carried by 36 to 32. The representative for Glengarry, I regret to say, voted against compensation being given to the good, true and loyal volunteers, not a few of whom were natives of and residents in Glengarry. The question again came up in 1892, when it was moved by Mr. Willoughby (as will be seen by extract and resolution printed herewith) that the Government should make some suitable recognition to the volunteers of '37-8. This motion was strongly opposed by the Government, and Provincial Secretary Gibson moved in amendment that owing to existing circumstances the veterans could not call for any further consideration from that house. Then Mr. Rayside moved an amendment to the amendment. He desired to add these words, "And this view is illustrated by the consideration that the Dominion Parliament took cognizance of the claims of the veterans of 1812." The latter carried, the vote being 41 to 20. As will be seen from this, Mr. Rayside succeeded in depriving the veterans of all chance of getting anything from the Local Legislature. Then Mr. Woods moved that the following words be added as an amendment to the main motion as amended, "But whether by this Legislature or by the Parliament of Canada, this House is of opinion that the recognition should at all events be made." This meant that the services of these brave men should be recognized by either the Federal or Provincial Parliament. But the Government also voted down this amendment, thus declaring themselves as being altogether opposed to the veterans receiving any compensation from any source.

It will not be necessary for me to add anything to what is already set forth in the memorials, and in the short addresses which I delivered when the committee placed the matter before the Governor-General of Canada and the Governor-General-in-Council. In making this application for such recognition, we rested our case upon the fact that it was owing to the services of Canada's sons at that time in repelling the invaders from her soil that the honour and

integrity of the British Empire in North America has been preserved to us.

Thus it will be seen that it was on these grounds alone I could appeal to the Governor-General for recognition from Her Majesty's Imperial authorities, and that I could not appeal to him on the grounds of any internal disorder, or any rebellion of a local character—claims arising out of which should be dealt with by the Provincial authorities affected thereby. I have also made an appeal to the Dominion Government on the same grounds, namely, that the veterans of those days had repelled foreign invaders, and the probability is that but for their efforts we might have been absorbed in the republic of the United States.

In regard to the questions asked in the House of Commons on the 9th May, 1887, regarding the pensions and granting of scrip to veterans who had served in 1837-8-9, as was done in the cases of the veterans of 1812 and those volunteers who served in the North-West Rebellion, it will be observed that there is a very great difference between the latter cases and the Rebellion of 1837. It was quite proper that the Federal Government alone should have dealt with the claims arising out of the War of 1812 and the North-west Rebellion. The War of 1812 was between the United States and British North America, in which the whole British Empire, as well as Canada, was concerned. The North-West was governed by the Dominion Government, who owned the lands and territories therein, and their Mounted Police, who were there for the preservation of the peace, and the maintenance of law and order in their different military posts, were attacked and shot at, murdered and slaughtered by the rebels. This was also a matter in which the Dominion as a whole was interested from every standpoint; and as owners of the property and land in those sections of the country where the rebellion took place, have paid compensation to their soldiers in land and scrip. Similar compensation or recognition should have been granted by the Governments of the Provinces

of Ontario and Quebec for the services rendered to them by the Volunteers of 1837-8.

I have always maintained, and will ever maintain, that the Provincial authorities, who at that time owned and still own the lands promised, are the sole and proper parties who should award compensation for the suppression of the internal disorder and rebellion, which was entirely a local matter within the bounds and precincts of the respective Provinces of Upper and Lower Canada (now the Provinces of Ontario and Quebec). That my contention is well founded has been practically admitted by the Provincial Governments, by their having from time to time granted compensation for losses sustained during the rebellion, and why it is that they now repudiate everything that they have hitherto done in that connection I cannot understand. It cannot be called anything else but repudiation, and is an imposition upon these men who so nobly and loyally defended the institutions of their country, and assisted in quelling the rebellion.

Having taken part in a struggle of over a half century ago, it may very readily be inferred that every year finds your ranks greatly reduced, so that the Local Government has considered your influence is not now so powerful, and as time passes on, the more indifferent to your claims will they prove to be, knowing that the lapse of a few more years would still the voices of the remaining few of your number, and it will only be left to history to record your brave and loyal conduct and to condemn the actions of those who refused to stand up for your rights. They have not only studiously ignored your rights in the Local Legislature, but have recommended and voted against your being granted any compensation or recognition in any House of Parliament whatever, either Local or Federal. I consider, and have no hesitation in stating that such treatment of the few surviving veterans by the Provincial authorities is utterly

opposed to that spirit of fairness and justice which should characterize the conduct of all fair-minded men.

The foregoing pages embrace but a brief outline of the various efforts which have been put forth to secure some acknowledgment of your services, and I firmly hope and trust that the Memorials, together with the documents accompanying the same, will receive that consideration which they so deservedly merit, and that you will, before long, have the proud satisfaction of being officially assured that your sacrifices in the past will be fittingly acknowledged by your grateful fellow countrymen. As a Canadian, and one taking a most warm and active interest in the subject, I need scarcely add that when such a happy result shall be attained, no one in this broad Canada of ours will feel more delighted and happy than I will, and I shall ever regard with pleasure the fact that I have been permitted to devote a considerable portion of my time and attention to the successful promotion of so desirable and worthy an object.

I have the honour, Gentlemen, to remain,

Your humble servant,

R. R. McLENNAN.

APPENDIX,

Containing copies and extracts from official documents and historical references presented to His Excellency Lord Stanley of Preston, Governor-General of Canada, and to the Governor-General-in-Council, referred to in the foregoing pages.

PROCLAMATION IN THE "UPPER CANADA GAZETTE," DEC. 7, 1837.

Proclamation by His Excellency Sir Francis B. Head, Baronet,
Lieutenant-Governor of Upper Canada, &c., &c.

To the Queen's Faithful Subjects in Upper Canada,

In a time of profound peace, while every one was quietly following his occupation, feeling secure under the protection of our laws, a band of rebels, instigated by a few malignant and disloyal men, has had the wickedness and audacity to assemble with arms, and to attack and murder the Queen's subjects on the highway, to burn and destroy their property, to rob the public mails, and to threaten to plunder the banks and to fire the city of Toronto.

Brave and loyal people of Upper Canada, we have been long suffering from the acts and endeavors of concealed traitors, but this is the first time that rebellion has dared to show itself openly in the land, in the absence of invasion by any foreign enemy.

Let every man do his duty now, and it will be the last time that we or our children shall see our lives or properties endangered, or the authority of our Gracious Queen insulted by such treacherous and ungrateful men. MILITIA MEN OF UPPER CANADA, no country has ever shown a finer example of loyalty and spirit than

YOU have given upon this sudden call of duty. Young and old of all ranks are flocking to the standard of their country. What has taken place will enable our Queen to know her friends from her enemies—a public enemy is never so dangerous as a concealed traitor. And now, my friends, let us complete well what is begun; let us not return to our rest till treason and traitors are revealed to the light of day, and rendered harmless throughout the land.

EXTRACT FROM THE SPEECH DELIVERED TO THE LEGISLATIVE
COUNCIL BY HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.

("Upper Canada Gazette," December 28th, 1837.)

Finding that against cool argument they could advance nothing, they desperately determined to try an appeal to physical strength, the avowed object of which was to force Her Majesty's subjects from their allegiance, and to subvert the British Constitution under the pretext of reform.

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The long-looked for crisis had now evidently arrived; and accordingly, defenceless and unarmed, I called upon the Militia of Upper Canada to defend their Government, and then confidently awaited the result.

With an enthusiasm which it is impossible for me to describe, they instantly obeyed the summons.

Upwards of 10,000 men immediately marched towards the Capital, and in the depth of a Canadian winter, with no clothes but those they stood in—without food, and generally speaking, without arms, Reformers as well as Constitutionalists, nobly rushed forward to defend the revered Constitution of their ancestors, although the rebel who had dared to attack it was offering to his adherents 300 acres of our land and the plunder of our banks.

EXTRACTS FROM REPLY TO THE SPEECH FROM THE THRONE.

("Upper Canada Gazette," Jan. 4, 1838.)

The promptness with which an apparently formidable insurrection in Lower Canada has been suppressed by Lieutenant-Colonel Sir John Colborne, with the gallant troops and volunteers under his command, and the complete dispersion of the insurgents in this Province by Your Excellency and the gallant militia, cannot but afford to the Queen's loyal subjects in the Colonies the most encouraging hope that tranquillity is about to succeed to a long period of unreasonable and injurious agitation.

* * * *

This extraordinary attempt to subvert our Government has been attended with many beneficial results. It has exposed the gross falsehoods and deceptions to which the leaders of the insurrection had recourse, in order to delude their followers. It has shown plainly and undeniably that the agitation which for many years past has disturbed the Province and impeded its welfare, had for its object to separate us from the Parent State, to gratify private malice and lawless rapacity by cruel acts of revenge, and by the plunder of public and private property. It has shown that the free inhabitants of this Province are loyal, faithful, generous and brave; for nothing could be more animating and affecting than the ardour and courage with which the several districts of Upper Canada in the depth of winter poured forth their thousands at a moment's warning, to rally round their Government in the hour of danger, and to extend their protection to their fellow subjects, whose lives and liberties were threatened.

* * * *

We have learned from Your Excellency, with concern and astonishment, that the tranquillity which had been so immediately restored to all parts of this Province, has been interrupted, and the services of our gallant and faithful militia prolonged at this inclement season, in consequence of a most extraordinary and unjustifi

able invasion of our Niagara frontier by a band of armed citizens of the United States.

OFFICIAL ACKNOWLEDGMENT OF THE SERVICES OF THE VOLUNTEERS.

("Upper Canada Gazette," Jan. 4, 1838.)

Adjutant-General's Office,
Toronto, December 28, 1837. }

The Lieutenant-Governor thanks the gallant militia of Upper Canada, for the zeal and alacrity with which they repaired to the seat of Government to aid in suppressing a disgraceful and unnatural rebellion.

The promptness with which the officers and men answered to this call of duty in the districts to which it was particularly addressed, was highly honourable to themselves, and proved them to be worthy subjects of their Sovereign.

There were many instances of particular zeal and fidelity shown upon the occasion, which it was most gratifying to the Lieutenant-Governor to witness, and which will not readily be forgotten by their Government, or their country.

It is with extreme regret that the Lieutenant-Governor finds it necessary, in consequence of a most unprovoked aggression upon our frontier by the citizens of the State of New York, to prolong the services of some portions of the Militia at this inclement season.

The honour of the United States Government is so directly concerned in putting an immediate stop to this injurious proceeding that His Excellency cannot but hope, it will be speedily and effectually repressed by their interference ; but if he should be disappointed in this hope, he trusts he shall not call in vain upon the Militia of Upper Canada to protect their country from insult, and defend their soil, which it is publicly proposed to parcel out as a booty among these lawless invaders.

RICHARD BULLOCK,
Adjutant-General.

RESOLUTION OF THE NEW BRUNSWICK LEGISLATIVE ASSEMBLY.

("Upper Canada Gazette," January 25. 1838.)

New Brunswick, House of Assembly,
5th January, 1838. }

Resolved unanimously, That the conduct of our fellow subjects in Upper Canada, on this memorable occasion, so fully in accordance with their former high spirit and character, affords a glorious example to the Sister Colonies ; and cannot fail to quicken the zeal and animate the exertions of every loyal heart in these Colonies, in support and defence of the liberties they enjoy under British Laws and Institutions.

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(Signed)

CHAS. P. WETMORE,
Clerk of Assembly.

MESSAGE FROM THE LIEUTENANT-GOVERNOR SIR FRANCIS BOND HEAD.

("Upper Canada Gazette, Extra," of Monday, June 22, 1838.)

F. B. HEAD,

The Lieutenant-Governor informs the Legislative Council that in consequence of this Province being invaded and assailed by a foreign enemy, and being the scene of actual military operations, Colonel Foster, the officer in command of Her Majesty's land forces, has assumed the entire military authority and command over the troops ; that he is also in command of the militia, and that the Commissary General at Quebec has communicated to the officer in charge of the commissariat there, that, consistently with the rules of the service, no expenses can be allowed unless sanctioned by the authority of the military commander, upon whom the protection of the Province has thus necessarily devolved.

EXTRACT FROM SPEECH OF LIEUTENANT-GOVERNOR SIR FRANCIS
BOND HEAD.

("Upper Canada Gazette," March 6, 1838.)

Speech delivered to the Honourable Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly by His Excellency the Lieutenant-Governor.

* * * *

I regret to say that there still exists among a portion of the American people so strong a desire to force upon the free inhabitants of this Province republican institutions, that with scarcely an exception every Government arsenal from Lake Champlain to Lake Michigan has within the last two months been broken open and plundered to furnish arms for the invasion of this portion of the British Empire ; and however the circumstance may be explained, it is certainly a remarkable fact, that all these robberies have been effected without the sacrifice of a single life, and without even the imprisonment of the person who is notoriously the instigator of these acts.

The wrong which citizens of the neighbouring States have committed by thus attempting to dictate to the inhabitants of Upper Canada the form of Government under which they are henceforward to exist, will, as the assertion of a new theory, be condemned by the civilized world as severely as in practice it has been repudiated by the people of this Province.

* * * *

When the Canadian farmers and yeomen of British origin were informed that citizens of the United States, sympathizing with their sufferings, had in three instances taken forcible possession of Her Majesty's territory, for the purpose of liberating them from British

domination—that, with this object in view, the American leaders had issued proclamations promising to each liberator three hundred acres of the best lands of Upper Canada, with one hundred dollars in silver—that the American self-styled General in command of the liberators had called upon the citizens of Upper Canada “to free their land from tyranny,” “to rally round the standard of liberty,” “to lay down their arms,”—in which case it was beneficently promised them that “their persons and property should be protected,” and that if they would “cease resistance” all would be well with them. Did the Canadian inhabitants hail their approach? No, on the contrary, their brave and loyal militia, although totally deprived of the assistance of Her Majesty’s regular troops, rose simultaneously, and, regardless of every private consideration, wherever the invaders appeared thousands of bayonets were seen bristling on our shore ready to receive them.

* * * *

I have felt it to be the especial duty of the legislative station I hold, not only to protest against the unprincipled invasion of this Province by its allies, but to vindicate the inhabitants from the unreasonable accusation, which without due enquiry, was made against them by the Federal Government of the United States, of having “assassinated” the crew of the *Caroline*.

The memoir of the attack which has just been made upon us offers a moral to the Mother Country, which I feel confident will create throughout the Empire considerable sensation; for although the Old Country is not without its share of human misapprehension and prejudice, particularly as regards its transatlantic possessions, yet when facts are clearly submitted to it, its judgment is always sound and its verdict nobly impartial.

The struggle on this continent between monarchy and democracy has been a problem which Upper Canada has just solved.

EXTRACT FROM DECLARATION OF INDEPENDENCE ISSUED BY DR.
ROBERT NELSON.

(From a "History of the Late Province of Lower Canada," by
Robert Christie, vol. V, p. 43.)

The declaration does not bear date. It, however, first appeared in the Canadian papers in the early part of March, 1838.

* * * *

Solemnly declare :

1. That from this day forward, the People of Lower Canada are absolved from all allegiance to Great Britain, and that the political connexion between that power and Lower Canada is now dissolved.

2. The Republican form of Government is best suited to Lower Canada, which is this day declared to be a Republic.

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EXTRACT FROM "A HISTORY OF THE LATE PROVINCE OF LOWER
CANADA,"

By Robert Christie, Vol. 5, pp. 130-1-2-3.

A number of American citizens in Buffalo and other towns on the frontier of the State of New York enlisted as soldiers, with the avowed object of invading Canada and establishing a Provisional Government. Public meetings were held to forward this design of invading a country with which the United States were at peace. Volunteers were called for, and arms, ammunition and provisions were supplied by contributions openly made. All this was in direct and flagrant violation of the express laws of the United States, as well as of the law of nations.

The civil authority of Buffalo offered some slight show of resistance to the movement, being urged to interpose by many of the most respectable citizens, but no real impediment was offered, and on the 13th of December, some hundreds of the citizens of the State

of New York, as an armed body, under the command of Mr. Van Renssellaer, an American citizen, openly invaded and took possession of Navy Island, part of Upper Canada, situate in the River Niagara. Not believing that such an outrage would really be committed, no force whatever was assembled at the time to counteract this hostile movement.

In a very short time this lawless band obtained from the Arsenal of the State of New York, clandestinely, as it is said, several pieces of artillery and other arms, which, in broad daylight were openly transported to Navy Island, without resistance from the American authorities. The people of Buffalo and of the adjacent country continued to supply them with stores of various kinds, and additional men enlisted in their ranks. In a few days their force was variously stated from five to fifteen hundred, of whom a small portion were rebels who had fled from Upper Canada. They began to entrench themselves, and threatened that they would, in a short time, make a landing on the Canadian side of the Niagara River.

To prevent this, and keep them in check, a body of militia was hastily collected and stationed on the frontier, under the command of Colonel Cameron, Assistant Adjutant-General of Militia, who was succeeded in this command by Col. McNab, the Speaker of the House of Assembly, an officer whose humanity and discretion, as well as his activity have been proved by his conduct in putting down the insurrection in the London District, and have been acknowledged in warm terms of gratitude by the misguided persons who had surrendered themselves into his hands. He received orders to act on the defensive only, and to be careful not to do any act which the American Government could justly complain of as a breach of neutrality.

(The above is an extract from a despatch from His Excellency Sir Francis B. Head, Bart., Lieut.-Governor of Upper Canada to His Excellency Henry S. Fox, Her Majesty's Minister at Washington, and is dated, Toronto, Upper Canada, 8th January, 1838.)

EXTRACT FROM "A HISTORY OF THE LATE PROVINCE OF LOWER
CANADA,"

By Robert Christie, Vol V., p. 144.

During these occurrences in Upper Canada, a multitude of loyal addresses from various parts of the province were presented to Sir Francis B. Head, tendering aid to the Government if needed, to put down the troubles. Among them was one from the loyal and true-hearted Highlanders of Lochiel in Glengarry, expressing their abhorrence of the late foul and unnatural rebellion, and declaring "by the memory of the past, by the hope of the future, by all that is worthy of ourselves, and of being transmitted down to posterity," that they were all ready, to a man, and at a moment's warning, to march against the rebels of their adopted country. The following is the characteristic reply of His Excellency to this spirit-stirring address :—

Brave and Loyal Highlanders of Lochiel,

The few remaining rebels who dared to insult the authorities of this noble portion of the British Empire, have absconded from its dominions, and the only enemies we have now to encounter are a band of pirates, who, under American leaders, have invaded our territory, for the avowed object of plundering our lands and subverting our revered institutions.

I feel confident, if this unprincipled aggression should continue, that, in one body, you will advance to exterminate the perfidious invaders of our liberties, or, like Highlanders, perish

With your backs to the field
And your feet to the foe,
And, leaving in battle
No blot on your name,
Look proudly to Heaven
From the death-bed of fame.

Government House, January 13th, 1838.

EXTRACT FROM "A HISTORY OF THE LATE PROVINCE OF LOWER
CANADA."

By Robert Christie, Vol. V., p. 244-5.

Sir John Colborne had written, on the 1st Nov., to Lieut.-Col. Turner, at Cornwall, on Special Service, as follows :

QUEBEC, Nov. 1, 1838.

SIR,

I request that you will explain to the officers of the militia in the district in which you are stationed, that Canada being threatened with an attack from the American frontier by a horde of rapacious brigands, every man that can bear arms, I am persuaded will not hesitate to join his regiment, and prepare to repel the wicked and unprovoked invasion with which the Provinces are threatened, and which, no doubt, will be immediately attempted. The loyal inhabitants may be assured that the Mother Country will no longer suffer these Provinces to be kept in a state of suspense and alarm to which they have been lately exposed ; but the strength of the Empire will be exerted fully to put an end to the disgraceful proceedings on the frontier. I have the honour to be, &c.,

(Signed)

J. COLBORNE,
Commander of the Forces.

EXTRACT FROM "A HISTORY OF THE LATE PROVINCE OF LOWER
CANADA,"

By Robert Christie, Vol. V, p. 275

Headquarters, Odelltown,
Seigniory of Lacolle, Nov. 11, 1838. }

My Lord,—With reference to my despatch of the 5th inst., I have the honour to acquaint you that the habitants between the Yamaska

and Richelieu rivers, who quitted their villages the night of the 3rd to take up arms against Her Majesty's Government, assembled at St. Ours, St. Charles and St. Michel ; those from the westward of the Richelieu, from Contrecoeur and Vercheres at Belœil ; the greater part of the rebels, however, of the Richelieu, on finding that the depots of arms and ammunition which had been promised them were not at the points of rendezvous ready to be delivered to them, returned to their homes on the 4th and 5th instant.

The inhabitants, generally of Beauharnois, Laprairie and L'Acadie, also were in arms on the night of the 3rd, and attacked all the loyal subjects residing in their neighbourhood, and either drove them from their homes or made them prisoners. At Beauharnois, Chateauguay and Napierville the rebels assembled in great numbers. About four thousand of them were concentrated at Napierville under the command of Dr. Robert Nelson, Dr. Cote and Gagnon, between the 3rd and 6th instant. Under these circumstances, I ordered the corps under the immediate command of Major-General Sir James Macdonell and Major-General Clitherow, to march to L'Acadie and St. Johns, with the intention of attacking Napierville on the 9th, but the unfavourable weather and the very bad state of the roads prevented the troops from reaching the vicinity of Napierville till late in the evening, and they did not enter the town till the morning of the 10th. The rebels, hearing of the approach of the Queen's troops, dispersed during the night of the 9th and the following morning. When the rebels established themselves at Napierville, they endeavoured to open a communication with the United States by Rouse's Point, with a view of bringing in supplies of arms and ammunition from their friends in the States of New York and Vermont, but the brave, persevering and loyal volunteers of Lacolle, Odelltown, Hemmingford and Sherrington, who from the first moment of the revolt had posted themselves on the frontier, attacked four hundred of them

on the march from Lacolle to Rouse's Point, two miles from the frontier line, defeated them, and took one field-piece, three hundred stand of arms, and drove them across the frontier. On the 9th, being reinforced from Sherrington, the volunteers took possession of the Church of Odelltown, and defended their post with the greatest bravery against an attack of nine hundred of the rebels on their march from Napierville, under Dr. Nelson, and compelled them to retire with great loss.

I had directed Colonel Taylor, employed on Particular Service, to proceed to the frontier to inform the volunteers of the march of the Queen's troops. This officer arrived at Odelltown about half an hour before the volunteers were attacked, and was of the greatest use to them in directing the defence of their position.

As soon as I received information of the revolt in Beauharnois I despatched Major Phillpots, R.E., with orders to Major Carmichael (Particular Service) to pass Lake St. Francis from Point au Baudet, near Lancaster, to the south bank of the St Lawrence, with a detachment of the 71st regiment, on the route from Upper Canada, and two battalions of the Glengarry militia, under Colonels Macdonell and Fraser, and to march on Beauharnois. This movement was promptly carried into effect by the exertions of Major Phillpots, Major Carmichael, and the Colonels of the Glengarry militia, on the 10th inst. Four or five men of the detachment of the 71st regiment were killed and wounded in driving the rebels from Beauharnois. I shall take an early opportunity of conveying to your Lordship a more correct account of these occurrences and of forwarding the reports of the officers commanding the volunteers posted on the frontier. Their loss has been severe, but several officers and loyal subjects have fallen, and I entreat that their families may be provided for by Her Majesty's Government. On every occasion, since the commencement of the revolt, the British popu-

lation have come forward with the greatest zeal and activity.

No doubt now exists that the leaders of this revolt have been actively employed in organizing this second attempt to establish a republic in Canada since June, and that a secret oath which has been extensively administered to the habitants was taken by a large portion of the disaffected in July and August, but it is certain that a large portion of the habitants who appeared in the ranks of the rebels, were forced to join them or have their properties destroyed. Several hundred prisoners have been taken, among them a French officer, who had command at Napierville. I enclose two proclamations issued by Dr. Nelson. I have, &c.,

(Signed)

J. COLBORNE.

The Lord Glenelg,

Secretary of State for the Colonies.

EXTRACT FROM "A HISTORY OF THE LATE PROVINCE OF LOWER
CANADA,"

By Robert Christie, Vol. V., p. 277.

Headquarters, Montreal, }
12th January, 1839.

General Order.

The Commander of the Forces has much satisfaction in publishing the following extract of a communication from the Secretary of State for the Colonies :—

Downing Street, 10th Dec., 1838.

SIR,—I had the honour to receive your despatches reporting your assumption of the Government of Lower Canada, the breaking out of the insurrection in the country bordering on the Richelieu, the proclamation of martial law in the District of Montreal, and the entire dispersion of the insurgents.

Your late despatches report the invasion of Upper Canada, near Prescott, by persons from the American bank of the St. Lawrence, the gallant resistance opposed to them by the force under Major Young, and their final defeat and capture by the troops under the command of Lieutenant-Colonel Dundas.

Having had the honour to lay these despatches before the Queen, I am commanded by Her Majesty to express her deep regret that the peace of her Canadian Provinces should have been again disturbed by the attempts of lawless and unprincipled men.

While Her Majesty sincerely deplores the events which have recently occurred in that part of her dominions, Her Majesty has contemplated with the greatest satisfaction the zeal, promptitude and gallantry with which her loyal subjects in both Provinces have come forward for the suppression of the insurrection and the defence of their country. The steadiness and valour displayed by the militia and volunteers, both in Upper and Lower Canada, are deserving of the highest praise; and I am commanded to convey to them, through you, Her Majesty's sense of their valuable services.

Her Majesty has observed with sincere gratification the unqualified success which has attended Her Majesty's troops wherever they have been engaged, and Her Majesty relies with proper confidence on their discipline and gallantry, aided by the loyal and generous courage of her faithful subjects in the Canadas for the defeat of any future attempt either to invade the Provinces from without, or to excite internal insurrection.

I have the honour, &c., &c.,

(Signed)

GLENELG.

Lieut.-General Sir John Colborne, G.C.B., &c., &c.

John Eden, Dep. Asst.-Adjt.-Gen'l.

EXTRACT FROM "A HISTORY OF THE LATE PROVINCE OF LOWER
CANADA,"

By Robert Christie, Vol. V., p. 301.

In Upper Canada the loyalty and courage of the inhabitants have preserved her Constitution and maintained the powers of the law through difficulties of the most trying nature. Their exertions during the last two years have been viewed by Her Majesty with the highest satisfaction, and have commanded the applause and admiration of all classes in the Mother Country.

(The above is an extract from a proclamation issued by His Excellency the Right Honourable Charles Poulett Thomson, Governor-General of British North America, dated 19th October, 1839.)

EXTRACT FROM "A HISTORY OF THE LATE PROVINCE OF LOWER
CANADA,"

By Robert Christie, Vol. V, p. 302-3.

Headquarters, Montreal,
Oct. 12, 1839. }

The Governor-General and Commander of the Forces cannot leave these Provinces without requesting the officers commanding volunteer corps to convey his thanks to the officers and men of their respective districts for the important services they have performed in defending their country, and the institutions under which they live, from the combined attack of desperate rebels and marauders from the United States. Deeply sensible of the arduous nature of these services, of the hardship and personal suffering consequent

on them, and but too well acquainted with the misery inflicted on the inhabitants of the frontier, who have been incessantly exposed to predatory and incendiary excursions from the States of New York, Vermont and other frontier States during two successive winters, His Excellency avails himself of this opportunity of recording his opinion that the forbearance which under circumstances of unprecedented provocation has marked the conduct of the volunteers (and which he is confident will be continued) does them honour as soldiers, and ensures them respect from every civilized nation, and that the fearless zeal with which a peaceful and industrious population imperfectly armed and equipped, came forward to crush the first attempts at rebellion, must be ever gratefully remembered by the Empire which they represent, and by the Government which they have upheld.

By command,

JOHN EDEN,

Dept.-Adj.-Gen.

EXTRACT FROM WITHROW'S "HISTORY OF CANADA," PAGE 366-7.

"The Roman Catholic Bishops and Clergy now interposed their authority to prevent an outbreak. The rites of the Church were refused to all who took part in the revolt. But even the threat of excommunication seemed to have little effect. * * Under the evil guidance of their infatuated leaders they rushed headlong into rebellion. But although the influence of the Catholic clergy for a time seemed disregarded, they contributed effectively to the suppression of the revolt."